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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,600	09/18/2003	Robert J. Nealon	LUC-421/Nealon 2	8545
32205	7590	08/15/2007		
PATTI, HEWITT & AREZINA LLC			EXAMINER	
ONE NORTH LASALLE STREET			ROBERTS, BRIAN S	
44TH FLOOR				
CHICAGO, IL 60602			ART UNIT	PAPER NUMBER
			2616	
			MAIL DATE	DELIVERY MODE
			08/15/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/666,600	NEALON, ROBERT J.
	Examiner	Art Unit
	Brian Roberts	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 September 2003.
- 2a) This action is **FINAL**.                            2b) This action is non-final..
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 4-6, 10-12 is/are allowed.
- 6) Claim(s) 1-3, 7-9 and 13-15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 18 September 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

- Claims 1-15 have been examined.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7-9, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Karlsson et al. (US 6961340)

- In reference to claim 1

In Figure 4; Karlsson et al. teaches a method that includes providing AAL2 CID (channel identifier) switching in a wireless access gateway **940**, the wireless access gateway **940** having DSPs A and B **160** (*transcoders*), DSPs A and B **160** having a subset of DSPs A or B **160** that are available DSPs **160**; switching a call to any one respective DSPs **160** of available DSPs A or B **160**; and transcoding the call from a first format to a second format in the respective DSPs **160**. (column 11 lines 25 - column 12 lines 26)

- In reference to claim 2

In Figure 4, Karlsson et al. further teaches a method that includes the switching of the call to any one respective DSPs A or B **160** of available DSPs A or B **160** is a function of a state of each respective DSPs **160** since if a DSP A or B is already supporting the maximum number of calls, DSP A or B will not be able to support an additional call. (column 11 lines 25 - column 12 lines 26)

- In reference to claim 3

In Figure 4, Karlsson et al. further teaches a method that includes the switching of the call to any DSPs **160** of available DSPs **160** is on an as needed basis. (column 11 lines 25 - column 12 lines 26)

- In reference to claim 7

In Figure 4, Karlsson et al. further teaches a method that includes providing AAL2 CID switching in a wireless access gateway **940**, the wireless access gateway **940** having a plurality of DSPs A and B **160** acting as transcoders for digital representation of speech; switching individual packets of a call to any one respective DSP A or B **160** of available DSPs **160**, the available DSPs **160** being a subset of the plurality of DSPs **160**; and transcoding the packets of the call in the respective DSP **160** from a first encoding to a second encoding. (column 11 lines 25 - column 12 lines 26)

- In reference to claim 8

In Figure 4, Karlsson et al. further teaches switching of individual packets to any one respective DSPs A or B **160** of available DSPs A or B **160** is a function of a state of each respective DSPs **160** since if a DSP A or B is already supporting the maximum number of calls, DSP A or B will not be able to support an additional call. (column 11 lines 25 - column 12 lines 26)

- In reference to claim 9

In Figure 4, Karlsson et al. further teaches switching of individual calls to any one respective DSP **160** of available DSPs **160** is on an as needed basis. (column 11 lines 25 - column 12 lines 26)

- In reference to claim 13

In Figure 4, Karlsson et al. teaches a method that includes providing AAL2 CID switching in a wireless access gateway **940**, the wireless access gateway **940** having a plurality of DSPs A and **B160** acting as transcoders for digital representation of speech; switching individual digital representations of speech of a call to any one respective DSP **160** of available DSPs A or **B160**, the available DSPs **160** being a subset of the plurality of DSPs **160**; and transcoding the digital representations of speech of the call in the respective DSP **160** from a first encoding to a second encoding. (column 11 lines 25 - column 12 lines 26)

- In reference to claim 14

In Figure 4, Karlsson et al. further teaches the switching of individual digital representations of speech to any one respective DSPs A or B **160** of available DSPs A or B **160** is a function of a state of each respective DSPs **160** since if a DSP A or B is already supporting the maximum number of calls, DSP A or B will not be able to support an additional call. (column 11 lines 25 - column 12 lines 26)

- In reference to claim 15

In Figure 4, Karlsson et al. further teaches the switching of individual digital representations of speech to any one respective DSP **160** of available DSPs **160**. (column 11 lines 25 - column 12 lines 26)

#### ***Allowable Subject Matter***

Claims 4-6, 10-12 allowed.

#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are:

- Almalki (US 7116658) teaches an apparatus and method for AAL2 packet switching on an ATM switch core.
- Lee (US 2002/0085564) teaches a method of converting ATM cells in ATM network system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Roberts whose telephone number is (571) 272-3095. The examiner can normally be reached on M-F 10:00-7:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BSR  
08/12/2007



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